



**Division of  
Human Rights**

**ANDREW M. CUOMO**  
Governor

**HELEN DIANE FOSTER**  
Commissioner

August 8, 2018

Re: Noreen Shea v. Village of Pomona  
Case No. 10190879

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To the Parties Listed Below:

Enclosed please find a copy of my proposed Recommended Order dismissing the complaint, which complainant requests and to which the respondent does not object. The Recommended Order will be submitted to the Commissioner for consideration as a Final Order.

Very truly yours,

A handwritten signature in black ink, appearing to read "Joshua Levin", written over a large, loopy circular flourish.

Joshua Levin  
Administrative Law Judge

TO:

Complainant

Noreen Shea  
4 Chimney Corner Road  
New Windsor, NY 12553

Complainant Attorney

Michael H. Sussman, Esq.  
Sussman & Watkins  
1 Railroad Avenue, Suite 3  
P.O. Box 1005  
Goshen, NY 10924

Respondent

Village of Pomona  
100 Ladentown Road  
Pomona, NY 10970

Respondent Attorney

William P. Harrington, Esq.  
Bleakley Platt & Schmidt, LLP  
One North Lexington Avenue, 7th Floor  
White Plains, NY 10601

State Division of Human Rights

Robert Goldstein, Director of Prosecutions  
Lilliana Estrella-Castillo, Chief Administrative Law Judge  
Joshua Levin, Administrative Law Judge  
Michael Swirsky, Litigation and Appeals  
Caroline J. Downey, General Counsel  
Melissa Franco, Deputy Commissioner for Enforcement  
Peter G. Buchenholz, Adjudication Counsel  
Matthew Menes, Adjudication Counsel



**Division of  
Human Rights**

**NEW YORK STATE  
DIVISION OF HUMAN RIGHTS**

**NEW YORK STATE DIVISION OF  
HUMAN RIGHTS**

on the Complaint of

**NOREEN SHEA,**

Complainant,

v.

**VILLAGE OF POMONA,**

Respondent.

**RECOMMENDED ORDER  
OF DISMISSAL FOR  
ADMINISTRATIVE  
CONVENIENCE**

Case No. **10190879**

Federal Charge No. 16GB800346

**PROCEEDINGS IN THE CASE**

On November 3, 2017, Complainant filed a verified complaint with the New York State Division of Human Rights ("Division"), charging Respondent with unlawful discriminatory practices relating to employment in violation of N.Y. Exec. Law, art. 15 ("Human Rights Law").

After investigation, the Division found that it had jurisdiction over the complaint and that probable cause existed to believe that Respondent had engaged in unlawful discriminatory practices. The Division thereupon referred the case to public hearing.

The case was assigned to Joshua Levin, an Administrative Law Judge ("ALJ") of the Division.

By notice of appearance dated July 19, 2018, Michael H. Sussman, Esq., appeared as counsel for Complainant and, by letter of same date, requested that the Division dismiss the complaint for administrative convenience so Complainant could pursue her complaint in federal court.

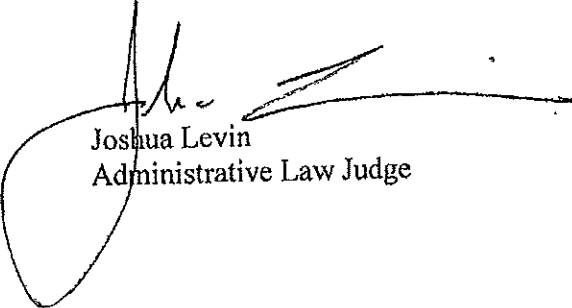
By letter dated July 23, 2018, the presiding ALJ asked Respondent to notify him within ten days whether Respondent objected to Complainant's request to dismiss the complaint.

By letter dated August 6, 2018, William P. Harrington, Esq. of Bleakley Platt & Schmidt, LLP, appeared for Respondent and stated that Respondent had no objections to the dismissal for administrative convenience.

Pursuant to Section 297.3(c) of the Human Rights Law, the complaint should be dismissed on the grounds of administrative convenience. The Complainant intends to pursue federal remedies in court, in which forum all the issues concerning the question of discrimination charged can be resolved.

ORDERED, that the case be dismissed for administrative convenience.

Dated: August 8, 2018  
Bronx, New York



Joshua Levin  
Administrative Law Judge